

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

Thomas E. Underwood, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

Case No. 2:13-cv-14464
Hon. Laurie J. Michelson

Carpenters Pension Trust Fund - Detroit
and Vicinity Pension Plan (“Plan”) and
Trustees of the Plan,

Defendants.

CLASS ACTION

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**PLAINTIFF THOMAS E. UNDERWOOD’S MOTION TO ENLARGE
THE PAGE LIMIT RESPECTING THE BRIEF IN SUPPORT OF HIS
MOTION FOR COSTS AND ATTORNEYS’ FEES UNDER ERISA
§502(g)(1), AND FOR PREJUDGMENT INTEREST**

Pursuant to Local Rule 7.1(d)(3), Plaintiff Thomas E. Underwood requests that
the Court enlarge the page limit respecting the brief in support of his Motion for

Costs and Attorneys' Fees Under ERISA §502(g)(1), and For Prejudgment Interest ("the 502(g) Brief"). The reasons in support of this request are that (i) the 502(g) Brief is only a few pages over the Court's 25-page limit for briefs, (ii) the 502(g) Brief would be within the 25-page limit if it did not include the discussion and request for prejudgment interest, and (iii) although the prejudgment interest request could have been made via a separate motion and brief, Underwood believes including it in this brief is more appropriate and efficient for both the Court and the Parties because his Complaint expressly requests prejudgment interest as an element of the damages (as well as costs and attorneys' fees recoverable under ERISA §502(g)(1)).

Therefore, Underwood requests that the Court enlarge the page limit respecting the 502(g) Brief. A proposed Order has been submitted through the Court's ECF Utilities function, and has been emailed to Defendants' attorney.

On September 25, 2014, the undersigned attorney for the Class contacted Defendants' attorney, Edward Pasternak ("Pasternak"), to inform him that she would be filing the instant motion to enlarge the page limit and to request Defendants' concurrence in the relief requested. Pasternak responded that Defendants would not concur in the relief requested, but that they likely also would not oppose it.

Respectfully submitted October 2, 2014

/s/ Eva T. Cantarella

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CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2014, I served on the below counsel for Defendants (i) Plaintiff Thomas E. Underwood's Motion to Enlarge the Page Limit Respecting the Brief in Support of His Motion for Costs And Attorneys' Fees Under ERISA §502(g)(1), And For Prejudgment Interest, and (ii) this Certificate of Service, via the Court's ECM e-filing system. I also uploaded to the Court a proposed Order via the ECF Utilities function and emailed the proposed Order to the below counsel for Defendants.

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